

**BOARD OF NURSING
MEETING MINUTES
June 12, 2014**

PRESENT: Julia Nelson, Julie Ellis, Maria Joseph, Sheryl Krause, Jeffrey Miller, Lillian Nolan

EXCUSED: Cheryl Streeter, Paul Abegglen

STAFF: Dan Williams – Executive Director; Jelena Gagula – Bureau Assistant; Pamela Stach – Board Legal Counsel, and other DSPS Staff

CALL TO ORDER

Julia Nelson called the meeting to order at 8:02 a.m. A quorum of six (6) members was confirmed.

ADOPTION OF AGENDA

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF MAY 8, 2014

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to approve the minutes of May 8, 2014 as published. Motion carried unanimously.

APPOINTMENT OF SCREENING PANEL MEMBERS

The Board tabled appointment of Screening Panel Members until the July meeting.

HERZING – BROOKFIELD/KENOSHA

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to acknowledge the appearance of David George and Justin Hern from Herzing University – Brookfield Kenosha. Motion carried unanimously.

MOTION: Julie Ellis, seconded by Sheryl Krause, that the complaint against Herzing – Brookfield/Kenosha has been resolved with no finding of a violation based on the representations of the Academic Dean, Dr. George, that the EA of the Nursing program has the authority to determine whether a student is appropriate for the program. Motion carried unanimously.

LEGISLATION AND ADMINISTRATIVE RULE MATTERS

- MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to approve the Adoption Order for Clearinghouse Rule 13-098. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Maria Joseph, to approve the Adoption Order for Clearinghouse Rule 14-002. Motion carried unanimously.
- MOTION:** Julie Ellis moved, seconded by Lillian Nolan, to approve the Adoption Order for Clearinghouse Rule 13-097 contingent upon JCRAR taking no action, and to designate Jeffrey Miller to review, approve, and sign the Adoption Order following the completion of the JCRAR review. Motion carried unanimously.
- MOTION:** Lillian Nolan moved, seconded by Sheryl Krause, to approve the Adoption Order for Clearinghouse Rule 14-004 contingent upon JCRAR taking no action, and to designate Jeffrey Miller to review, approve, and sign the Adoption Order following the completion of the JCRAR review. Motion carried. Julie Ellis opposed.

SPEAKING ENGAGEMENTS, TRAVEL, OR PUBLIC RELATIONS REQUESTS

- MOTION:** Jeffrey Miller moved, seconded by Lillian Nolan, to designate Dan Williams to represent the Board at the 2014 Annual Meeting of the NLC Administrators on August 12, 2014. Motion carried unanimously.
- MOTION:** Sheryl Krause moved, seconded by Lillian Nolan, to designate Jeffrey Miller to represent the Board at the 2014 NCSBN Annual Meeting on August 13-15, 2014 and leave the second delegate open to the discretion of the Chair to be determined at a later date. Motion carried unanimously.

CLOSED SESSION

- MOTION:** Sheryl Krause moved, seconded by Maria Joseph, to invite Peter Kallio to join the Board during its Closed Session proceedings. Motion carried unanimously.
- MOTION:** Maria Joseph moved, seconded by Sheryl Krause, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85 (1)(b), Stats.); to consider closing disciplinary investigation with administrative warning (ss.19.85(1)(b), Stats. and 440.205, Stats.); to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.); and, to confer with legal counsel (s.19.85(1)(g), Stats.). Julia Nelson read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: Julia Nelson-yes; Julie Ellis-yes; Maria Joseph-yes; Sheryl Krause-yes; Jeffrey Miller-yes; and Lillian Nolan-yes. Motion carried unanimously.

The Board convened into Closed Session at 9:58 a.m.

RECONVENE TO OPEN SESSION

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to reconvene into open session. Motion carried unanimously.

Peter Kallio left the meeting at 10:30am.

The Board reconvened into Open Session at 2:00 p.m.

VOTING ON ITEMS CONSIDERED OR DELIBERATED ON IN CLOSED SESSION

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to affirm all motions made in closed session. Motion carried unanimously.

MONITORING

Christine Bertin, L.P.N. – Surrendering License

MOTION: Julie Ellis moved, seconded by Maria Joseph, to accept the surrender of license of Christine Bertin. Motion carried unanimously.

Samantha Connaughty, R.N. – Modification of Practice Limitations

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to **deny** the request of Samantha Connaughty for Modification of Practice Limitations that would allow work without direct supervision and in home health, agency, or pool positions. **Reason for Denial:** There has been insufficient time under the order with work reports. Motion carried unanimously.

Denise Denton, R.N. – Modification of Practice Limitations (Impairment)

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to **grant** the request of Denise Denton for Modification of Practice Limitations to allow work in home health and hospice, with access to controlled substances, and without direct supervision. Motion carried unanimously.

Laura Feichtner, R.N. – Full Reinstatement of Licensure (Impairment)

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to **deny** the request of Laura Feichtner for Full Licensure. **Reason for Denial:** Insufficient time under the order to show compliance. The Board **grants** approval of ResCare as a work setting pursuant to Paragraph C 21 of the Order dated October, 20, 2011. Motion carried unanimously.

Elizabeth Forward, R.N. – Full Reinstatement of Licensure (Impairment)

Sheryl Krause recused herself from discussion, deliberation, and voting in the matter of Elizabeth Forward, R.N. – Full Reinstatement of Licensure (Impairment).

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to **grant** the request of Elizabeth Forward for Full Licensure. Motion carried.

Robert Kennison, R.N. – Full Reinstatement of Licensure (Impairment)

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to **grant** the request of Robert Kennison for Full Licensure. Motion carried unanimously.

Ann Stanton, R.N. – Full Reinstatement of Licensure (Impairment)

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to **deny** the request of Ann Stanton for Full Licensure. **Reason for Denial:** Lack of continuous compliance as required by Paragraph A5 of the Order dated May 7, 2009. Motion carried unanimously.

Mary Jo Trunnell, R.N. – Full Reinstatement of Licensure (Impairment)

MOTION: Sheryl Krause moved, seconded by Jeffrey Miller, to **deny** the request of Mary Jo Trunnell for Full Licensure or reduction in screenings. The Board further directs that respondent may not repetition the Board for modifications of the Order prior to December 12, 2014. **Reason for Denial:** Lack of compliance with the terms of the Order. Motion carried unanimously.

STIPULATIONS, FINAL DECISIONS AND ORDERS

G.P.K. – 12 NUR236

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against G.P.K. – 12 NUR236. Motion carried unanimously.

S.Y.G. – 12NUR447

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against S.Y.G. – 12NUR4477. Motion carried unanimously.

J.M.R. – 13NUR254

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against J.M.R. – 13NUR254. Motion carried unanimously.

W.A.K. – 13NUR320

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against W.A.K. – 13NUR320. Motion carried unanimously.

J.A.S. – 13NUR399

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to table the matter of Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against J.A.S. – 13NUR399. The Board assigns Sheryl Krause as the case advisor. Motion carried unanimously.

C.A.H. – 13NUR412

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against C.A.H. – 13NUR412. Motion carried unanimously.

N.A.K. – 13NUR680

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against N.A.K. – 13NUR680. Motion carried unanimously.

A.R.E. – 14NUR059

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against A.R.E. – 14NUR059. Motion carried unanimously.

T.M.L. – 14NUR080

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against T.M.L. – 14NUR080. Motion carried unanimously.

S.E.F. – 14NUR100

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against S.E.F. – 14NUR100. Motion carried unanimously.

R.L.R. – 14NUR103

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against R.L.R. – 14NUR103. Motion carried unanimously.

A.K.M. – 14NUR108

MOTION: Julie Ellis moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against A.K.M. – 14NUR108. Motion carried unanimously.

M.K.E. – 14NUR121

MOTION: Sheryl Krause moved, seconded by Maria Joseph, to accept the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against M.K.E. – 14NUR121. Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Lillian Nolan moved, seconded by Julie Ellis, to issue an Administrative Warning in the matter of DLSC case number 14NUR051 – C.A.L. Motion carried unanimously.

MOTION: Lillian Nolan moved, seconded by Julie Ellis, to issue an Administrative Warning in the matter of DLSC case number 14NUR211 – D.K. Motion carried unanimously.

CASE STATUS REPORT

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to reassign Julia Nelson's caseload due to the expiration of her term. Julia Nelson will contact the department to assist with caseload reassignment. Motion carried unanimously.

CASE CLOSURES

13NUR376 – L.J.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 13NUR376 – L.J. for prosecutorial discretion (P6). Motion carried unanimously.

13NUR647 – L.Z.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 13NUR647 – L.Z. for insufficient evidence. Motion carried unanimously.

14NUR113 – C.B.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 14NUR113 – C.B. for insufficient evidence. Motion carried unanimously.

14NUR156 – M.S.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 14NUR156 – M.S. for prosecutorial discretion (P3). Motion carried unanimously.

14NUR116 – C.G.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 14NUR116 – C.G. for prosecutorial discretion (P7). Motion carried unanimously.

14NUR087 – W.H.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 14NUR087 – W.H. for insufficient evidence. Motion carried unanimously.

14NUR171 – C.D., S.S.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 14NUR171 – C.D., S.S. for prosecutorial discretion (P2). Motion carried unanimously.

13NUR661 – A.D.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 13NUR661 – A.D. for prosecutorial discretion (P2). Motion carried unanimously.

13NUR382 – G.P.

MOTION: Julie Ellis moved, seconded by Sheryl Krause, to close DLSC case number 13NUR382 – G.P. for prosecutorial discretion (P5) with a flag. Motion carried unanimously.

PRESCREENING CLOSURE LIST

MOTION: Sheryl Krause moved, seconded by Jeffrey Miller, to acknowledge review of the Prescreening Closure List and agree with the rationale for not opening for investigation. The board agrees that the creation of further Prescreening Closure Lists for purposes of Board review is not necessary at this time. Motion carried unanimously.

ADMINISTRATIVE LAW JUDGE PROPOSED FINAL DECISIONS AND ORDERS

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, Conclusions of Law, and Proposed Final Decision and Order in the matter of disciplinary proceedings against Diane Hiller, R.N., Respondent – (DHA Case # SPS-13-0011) (DLSC Case # 12NUR019). Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to adopt the Findings of Fact, Conclusions of Law, and Proposed Final Decision and Order in the matter of disciplinary proceedings against Kathleen M. Turner, L.P.N., Respondent – (DHA Case # SPS-13-0033) (DLSC Case # 13NUR022). Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, to adopt the Findings of Fact, and vary the Conclusions of Law and Order of the Proposed Final Decision and Order in the matter of disciplinary proceedings against Becky L. Riiser, Applicant – (DHA # SPS-13-0030) (DLSC Case # 13NUR326) to find this matter moot pursuant to Act 114 which was effective December 21, 2013. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Jeffrey Miller, that any application for licensure filed by Becky L. Riiser shall be decided by the full Board. Motion carried unanimously.

CREDENTIALING MATTERS

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to acknowledge the appointment of Julie Ellis as the temporary Credentialing Liaison until the current liaison returns. Motion carried unanimously.

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to delegate authority to designated DSPS Staff to make credentialing decisions as it relates to a single OWI conviction. Motion carried unanimously.

Alexandra Wendleborn – Competency Review

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to grant a Limited License to Alexandra Wendleborn for the sole purpose of completing a Nursing Refresher Course pre-approved by the Board, to be successfully completed within one (1) year of the date the Limited License was issued. Motion carried unanimously.

Janice Roskos – Competency/Refresher Course Review

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to deny the application of Janice Roskos for licensure. **Reason for Denial:** Has not demonstrated current competence in the practice of professional Nursing. Motion carried unanimously.

Kathy Wandsnider – Competency/Refresher Course Review

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to grant a Limited License to Kathy Wandsnider for the sole purpose of completing a Nursing Refresher Course pre-approved by the Board, to be successfully completed within one (1) year of the date the Limited License was issued. Motion carried unanimously.

Kirsten Faith – Competency/Refresher Course Review

MOTION: Julie Ellis moved, seconded by Maria Joseph, to table the application of Kirsten Faith until further information has been received. Motion carried unanimously.

Leigh Bell – Discipline Review

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to grant the application of Leigh Bell, once all requirements are met. Motion carried unanimously.

Michael Hoff – Competency/Refresher Course Review

MOTION: Jeffrey Miller moved, seconded by Lillian Nolan, to **deny** the application of Michael Hoff. **Reason for Denial:** Has not demonstrated current competence in the practice of professional Nursing. Motion carried unanimously.

Nimmer Plourde – Conviction Review

MOTION: Lillian Nolan moved, seconded by Jeffrey Miller, to grant the application of Nimmer Plourde for licensure as a professional Nurse. Motion carried unanimously.

Rebecca Wallace – Competency/Refresher Course Review

MOTION: Lillian Nolan moved, seconded by Sheryl Krause, to grant a Limited License to Rebecca Wallace for the sole purpose of completing a Nursing Refresher Course pre-approved by the Board, to be successfully completed within one (1) year of the date the Limited License was issued. Motion carried unanimously.

Rita Gray – Competency/Refresher Course Review

MOTION: Julie Ellis moved, seconded by Maria Joseph, to grant a Limited License to Rita Gray for the sole purpose of completing a Nursing Refresher Course pre-approved by the Board, to be successfully completed within one (1) year of the date the Limited License was issued. Motion carried unanimously.

MOTION: Julie Ellis moved, seconded by Maria Joseph, that upon successful completion of the Nurse Refresher Course any application for licensure of Rita Gray shall be decided by the full Board. Motion carried unanimously.

BOARD STRATEGIC PLANNING

MOTION: Julie Ellis moved, seconded by Maria Joseph, to cancel the August 7, 2014 meeting. Motion carried unanimously.

ADJOURNMENT

MOTION: Jeffrey Miller moved, seconded by Maria Joseph, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 2:15 p.m.